

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

Robert Sielski
6135 West Nebraska Ave.
Milwaukee, WI 53220

Plaintiff,

v.

First National Collection Bureau, Inc.
c/o CSC – Lawyers Incorporating Service
Company
8040 Excelsior Dr., Suite 400
Madison, WI 53717

Defendant.

Case No. 2:09-cv-1170-WEC

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT COLLECTION
PRACTICES ACT AND OTHER
EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

JURISDICTION AND VENUE

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

FACTS COMMON TO ALL COUNTS

2. Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).
3. Plaintiff incurred a “debt” as defined by 15 U.S.C. §1692a(5).
4. At the time of the communications referenced herein, Defendant either owned the debt or was retained by the owner to collect the debt.
5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).
6. Plaintiff filed this claim within the timeframe permitted under the FDCPA.
7. On or around October 1, 2009, Defendant telephoned Plaintiff.

8. During this communication, Defendant falsely represented that Defendant was preparing to levy Plaintiff's bank account and garnish Plaintiff's wages.
9. On or around October 2, 2009, Defendant telephoned Plaintiff and left a voice message.
10. During this communication, Defendant failed to identify itself as a debt collector.
11. Defendant damaged Plaintiff emotionally and mentally and caused Plaintiff substantial anxiety and stress.
12. Defendant violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

13. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
14. Defendant violated 15 U.S.C. §1692d by engaging in conduct in connection with the collection of the debt the natural consequence of which was to harass, oppress, or abuse Plaintiff.

COUNT TWO

Violation of the Fair Debt Collection Practices Act

15. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
16. Defendant violated 15 U.S.C. §1692e by using false, deceptive, or misleading representations in connection with the collection of the debt.

COUNT THREE

Violation of the Fair Debt Collection Practices Act

17. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
18. The Defendant violated 15 U.S.C. §1692f by using unfair or unconscionable means to attempt to collect the debt.

JURY DEMAND

19. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

20. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

By: /s/ Timothy J. Sostrin

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